

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARY BASANSKY,

Plaintiff,

Civil Action No.

10-cv-13649

vs.

HON. MARK A. GOLDSMITH

PARK, ET AL.,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, and DISMISSING
PLAINTIFF'S COMPLAINT**

This matter is presently before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge R. Steven Whalen, entered on February 8, 2012 (Dkt. 30). The Magistrate Judge recommends that Defendants’ motion for summary judgment (Dkt. 25) be granted and that Plaintiff’s complaint be dismissed. Plaintiff has not filed objections to the R&R and the time to do so has expired. Thus, Plaintiff has waived any further right to appeal. Thomas v. Arn, 474 U.S. 140, 155 (1985). As the Magistrate Judge noted in the R&R, there was no violation of Plaintiff’s Fourth Amendment or other constitutional rights, and, therefore, Defendants from the Sanilac County Sheriff Department are protected by the doctrine of qualified immunity. Furthermore, Plaintiff has not alleged with any degree of specificity a conspiracy between Defendant Terry Stone, a private citizen, and the Defendant deputies; accordingly, Defendant stone is not subject to suit under 28 U.S.C. § 1983. The Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for the correct reasons.

Accordingly, the Magistrate Judge's R&R (Dkt. 30) is accepted and adopted as the findings and conclusions of the Court. Defendant's motion for summary judgment (Dkt. 25) is granted and Plaintiff's complaint is dismissed.

SO ORDERED.

Date: March 12, 2012
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 12, 2012.

s/Shawntel Jackson for Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager